

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hiroaki ITO et al.

Title: A PREVENTIVE OR
THERAPEUTIC AGENT
FOR INFLAMMATORY
BOWEL DISEASE
COMPRISING IL-6
ANTAGONIST AS AN
ACTIVE INGREDIENT

U.S. Appl'n. No.: 10/677,227

Filing Date: 10/3/2003

Examiner: P. M. Mertz

Art Unit: 1646

Confirmation
Number: 8597

TERMINAL DISCLAIMER

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Your Petitioner, Chugai Seiyaku Kabushiki Kaisha, having its principal place of business at 5-1, Ukima 5-chome, Kita-ku, Tokyo, Japan 115-8543, represents that it is the owner of the entire right, title, and interest in and to the above-identified U.S. Patent Application No. 10/677,227, which is a division of U.S. Patent No. 6,723,319, granted on April 20, 2004, which issued on U.S. Patent Application No. 09/646,188, filed September 14, 2000, which is a national stage application based on PCT/JP99/01298, filed March 16, 1999, by virtue of an Assignment

filed and recorded on September 14, 2000, on Reel/Frame 011158/0971, in the United States Patent and Trademark Office, a copy of which is attached hereto as APPENDIX A.

Your Petitioner, Chugai Seiyaku Kabushiki Kaisha, hereby disclaims the terminal part of the term of any patent granted on the above identified patent application which would extend beyond the full statutory term, as shortened by any terminal disclaimer, of U.S. Patent 6,723,319, and hereby agrees that any patent so granted on the above identified patent application shall be enforceable only for and during such period that the legal title to U.S. Patent 6,723,319 shall be the same as the legal title to any patent granted on the above identified patent application, this agreement to run with any patent granted on the above identified patent application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on the above identified patent application, prior to the full statutory term of U.S. Patent 6,723,319, as defined in 35 U.S.C. §§154-156 and 173, in the event that U.S. Patent 6,723,319 expires for failure to pay a maintenance fee, is held unenforceable or is found invalid in a final judgment by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims canceled by a reexamination certificate or as a result of an interference proceeding, or is otherwise not deemed to provide the rights conveyed by 35 USC §154, prior to the full statutory term of U.S. Patent 6,723,319 as defined in 35 USC §§154-156 and 173, except for the separation of legal title stated above. Further, Petitioner does not disclaim any terminal part of a patent granted on the above identified patent application that would extend beyond the present termination of U.S. Patent 6,723,319, in the event that such present term is extended by virtue of compliance with the conditions for term extension of any present or future patent term extension provisions of the patent law, including but not limited to 35 U.S.C. §§155, 155A or 156, and without waiving Petitioner's right to extend the term of a patent granted on the above identified patent application to the extent provided by law.

The undersigned, being the Attorney of Record for the above identified patent application, and duly authorized to act on behalf of Petitioner, certifies that he has reviewed the Assignments attached as APPENDIX A, and to the best of his knowledge and belief, legal title to the above identified U.S. Patent 6,723,319 and its application rests with Petitioners, Chugai Seiyaku Kabushiki Kaisha. The undersigned declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing therefrom.

Respectfully submitted,

Date

June 4, 2007

FOLEY & LARDNER LLP

Customer Number: 22428

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HCW:SBM:ARSC:kdM

Attachment: APPENDIX A - Assignment

By

Harold C. Wegner, Reg. #28,163

Harold C. Wegner
Attorney for Applicant
Registration No. 28,258



HCW
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
53466/283

DECEMBER 11, 2000

PTAS

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UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYER WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/14/2000

REEL/FRAME: 011158/0971
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
ITO, HIROAKI

DOC DATE: 09/04/2000

ASSIGNOR:
YAMAMOTO, MITSUNARI

DOC DATE: 09/04/2000

ASSIGNOR:
KISHIMOTO, TADAMITSU

DOC DATE: 09/04/2000

ASSIGNEE:
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SERIAL NUMBER: 09646188
PATENT NUMBER:

FILING DATE: 09/14/2000
ISSUE DATE:

KIMBERLY WHITE, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

U.S. ASSIGNMENT

IN CONSIDERATION of the sum of One Dollar (\$1.00), and of other good and valuable consideration paid to the undersigned inventor(s) (hereinafter "ASSIGNOR") by

(Insert
ASSIGNOR's
Name(s)
Address(es))

1) CHUGAI SEIYAKU KABUSHIKI KAISHA

5-1, Ukima 5-chome, Kita-ku, Tokyo 115-8541, Japan

2) Tadamitsu Kishimoto

3-5-31, Nakano-cho, Tondabayashi-shi, Osaka 564-0021, Japan

(hereinafter "ASSIGNEE"), the receipt of which is hereby acknowledged, the undersigned ASSIGNOR, hereby sells, assigns and transfers to ASSIGNEE the entire and exclusive right, title and interest in the invention entitled

(Title of
Invention)

**A PREVENTIVE OR THERAPEUTIC AGENT FOR INFLAMMATORY BOWEL DISEASE COMPRISING
IL-6 ANTAGONIST AS AN ACTIVE INGREDIENT**

relating to International Patent Application PCT/JP 99 / 01298 and/or for which application for Letters Patent of the United States was executed on even date herewith or, if not so executed, was:

(Insert date
of execution
of application,
if not
concurrent)

(a) executed on _____
(b) filed on _____
Serial No. _____

_____ is hereby authorized to insert in (b) the specified
data, when known.

and to said application and all Letters Patent(s) of the United States granted on said application and any continuation, division, renewal, substitute, reissue or reexamination application based thereon, for the full term or terms for which the said Letters Patent(s) may be granted and including any extensions thereof (collectively, hereinafter, "said application(s) and Letters Patent(s)").

The ASSIGNOR agree(s), when requested by said ASSIGNEE and without charge to but at the expense of said ASSIGNEE, to do all acts which the ASSIGNEE may deem necessary, desirable or expedient, for securing, maintaining and enforcing protection for said invention, including in the preparation and prosecution of said application(s) and the issuance of said Letters Patent(s), in any interference, reissue, reexamination, or public use proceeding, and in any litigation or other legal proceeding which may arise or be declared in relation to same, such acts to include but not be limited to executing all papers, including separate assignments and declarations, taking all rightful oaths, providing sworn testimony, and obtaining and producing evidence.

IN WITNESS WHEREOF, the undersigned inventor(s) has (have) affixed his/her/their signature(s)

(Signature)

Hiroaki Ito
(SIGNATURE)

Hiroaki Ito

(TYPE NAME)

September 4, 2000

(DATE)

Mitsunari Yamamoto
(SIGNATURE)

Mitsunari Yamamoto

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